

OP-21.07, "Earned Work Credits," July 1, 2008

## SCDC POLICY/PROCEDURE

NUMBER: OP-21.07

TITLE: EARNED WORK CREDITS

ISSUE DATE: JULY 1, 2008

RESPONSIBLE AUTHORITY: DIVISION OF CLASSIFICATION AND INMATE RECORDS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: OP-21.07, FEBRUARY 1, 2002

RELEVANT SCDC FORMS/SUPPLIES: 18-1, 19-54, 19-123

ACA/CAC STANDARDS: 4-4448, 4-4449, 4-4450, 4-4451, 4-4452, 4-4454

STATE/FEDERAL STATUTES: 24-13-230, 24-21-635, and 24-27-200, South Carolina Code of Laws, 1976, as amended; and Section 14, Act 462, Acts in Joint Resolution, 1986

**PURPOSE:** To prescribe standardized guidelines and procedures for the management and administration of Earned Work Credits (hereafter referred to as EWCs) as provided for by the above-referenced state statutes.

**POLICY:** In an effort to provide inmates with opportunities to become productive citizens, SCDC will require all capable inmates under its jurisdiction to actively participate in a productive duty assignment and/or educational or vocational programming, consistent with security requirements. Inmates who are assigned to and actively participating in a productive duty assignment and/or educational or vocational programming and who are otherwise qualified will receive a reduction from the term of their sentence in compliance with applicable state statutes.

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THE FOLLOWING PROCEDURES CONCERNING THE EARNING OF EARNED WORK CREDITS (EWCs) AND EARNED EDUCATIONAL CREDITS (EECs) ARE NOT APPLICABLE TO INMATES SENTENCED UNDER THE YOUTHFUL OFFENDER ACT. HOWEVER, IF A YOUTHFUL

OFFENDER HAS A CONCURRENT, STRAIGHT-TIME SENTENCE, EWCs AND EECs MAY BE EARNED AND APPLIED AGAINST THE DETERMINATE PORTION OF HIS/HER SENTENCE.

## SPECIFIC PROCEDURES:

### 1. RESPONSIBILITY/AUTHORITY:

1.1 The Division Director of Classification and Inmate Records/designee will be responsible for monitoring, coordinating, and administering the Earned Work Credit Program and approving all changes other than those which are authorized to be handled at the institutional level. In addition, the Division Director of Classification and Inmate Records/designee will:

- Ensure that these procedures are reviewed on at least an annual basis or more often if necessary; and
- Ensure that each institutional Earned Work Credit (EWC) Coordinator is promptly informed of any development regarding EWC issues.

1.2 The Division Director of Resource and Information Management will be responsible for coordinating with, and providing technical assistance and appropriate EWC information affecting inmate release dates, to institutions, divisions, and the South Carolina Department of Probation, Parole, and Pardon Services.

1.3 At each institution, the institutional EWC Coordinator will be the Classification Case Manager, Community Program Supervisor, or designated Caseworker where a Case Manager is not assigned. At a minimum, each EWC Coordinator will:

- ensure institutional compliance with the Agency's EWC policy/procedures, as well as coordinating EWC matters with the Division of Classification and Inmate Records;
- maintain an updated list of job supervisors authorized to sign SCDC Form 19-54, "Inmate Job/School Assignment," and ensure strict compliance with such signature requirements;
- maintain an updated roster of institutional authorized EWC job positions and the maximum numbers of inmates that can be assigned to each area;
- ensure that records are maintained properly and that all EWC data is accurately entered into the computer;
- perform quarterly audits of all EWC job and work assignments;
- ensure that inmates are entered in the appropriate job code in the automated system; and
- Meet with institutional job supervisors on a quarterly basis to resolve EWC questions and concerns.

1.4 The Assistant Division Director of State Classification/designee will coordinate all EWC matters with the Designated Facilities to include, but not be limited to, the following:

- distribution of information pertaining to EWCs to all authorized Designated Facilities;
- collection and CRT entry of EWCs for those inmates assigned to Designated Facilities;

(NOTE: Any request for EWC backdating must be endorsed by the Designated Facilities Specialist and sent to the Assistant Division Director of State Classification/designee who will make recommendations before forwarding it to the Division Director of Classification and Inmate Records/designee.)

- monitoring of the administration of the EWC program in Designated Facilities to ensure proper compliance with policy/procedure.

1.5 NOTE: The responsible officials for the supervision of Earned Educational Credits (EECs) and related eligibility guidelines are outlined in SCDC policies/procedures pertaining to educational credits. As provided in 24-13-230(F)(2), South Carolina Code of Laws, 1976, as amended, inmates convicted of a violent offense excluded by law will not be eligible to receive Earned Educational Credits unless they were convicted of a crime committed on or after January 1, 1996, and were sentenced to one of the "No Parole" offenses.

1.6 The 1995 Crime Bill passed June 7, 1995, outlines "No Parole" offenses as follows: Any inmate whose crime was committed on or after January 1, 1996, and was sentenced to one of the "No Parole" offenses described in Appendix A can earn EWC/EEC and Bonus Credits at a combined maximum total of six (6) days a month and maximum annual total of 72 days.

1.7 Any inmate who was convicted of a parolable violent offense, regardless of when the offense was committed, is not eligible to earn any Earned Educational Credits.

## 2. GENERAL PROVISIONS:

2.1 Each inmate who was allowed to keep his/her earned work credit rate upon implementation of the pilot Classification System on September 16, 1996, will continue to earn EWCs at that rate as long as the inmate is not convicted of a disciplinary rules violation.

2.2 Earned Work Credits will be used to compensate inmates for labor performed or for their enrollment and active participation in academic or vocational programs according to the inmate's custody designation.

2.3 Each institution will provide the opportunity for a minimum of five (5) hours per day and an optimum of eight (8) hours per day, five (5) days per week, of full-time, meaningful work and/or program assignments for all capable inmates in the general population. The Agency will make mandatory the requirement that inmates participate in a productive duty assignment and/or academic or vocational programming. All jobs, program assignments, housing, and services will be distributed in a rational, fair, and equitable manner. (4-4448, 4-4449, 4-4451, 4-4452, 4-4454)

2.4 The automated system will advance the EWC/EEC rate to Level 2 for inmates in Minimum In (MI) custody when they meet the behavioral and time requirements to advance to Minimum Out Restricted (MOR) custody.

2.5 Inmates who commit disciplinary rules violations that result in criminal charges, on or after September 16, 1996, are not eligible for an advance to EWC/EEC Level 2 rate.

## 3. TIME REQUIREMENTS FOR JOBS RECEIVING EWC:

3.1 Inmates working a minimum of five (5) hours per day, five (5) days per week, will be considered "full-time" and will be awarded EWCs in accordance with Procedure 8., below. (4-4454)

3.2 Inmates working less than five (5) hours per day will be considered "part-time" and will be awarded one-half the credits as indicated in Procedure 8., below.

3.3 Inmates may perform two (2) jobs to make up a full work day, but may only receive EWCs for one (1) full-time job.

4. STATUTORY LIMITATIONS ON AWARDING EWC: Earned Work Credits (EWCs) may be applied against an inmates original parole eligibility dates except as specified in the following cases:

4.1 Armed Robbery: EWCs earned before June 30, 1981, may not be applied against an inmates parole eligibility date. However, EWCs earned on or after June 30, 1981, may be applied against an inmates parole eligibility date. EWCs accrued at any time may be applied to reduce the good time release (max-out) dates of inmates sentenced for Armed Robbery.

4.2 Life Sentence: EWCs may be accrued by inmates sentenced to life as follows:

Sentence	Dates	Eligibility
A Life Sentence for Other than Murder	If offense was committed before 5/5/78	Eligible for EWCs
If offense was committed on or after 5/5/78	Eligible for EWCs beginning 6/30/81	A Life Sentence for Murder with a 10 Year Parole Eligibility
If offense was committed prior to 6/13/77	Eligible for EWCs	A Life Sentence for Murder with a 20 Year Parole Eligibility
If offense was committed before 5/5/78	Eligible for EWCs	If offense committed on or after 5/5/78 and before 6/15/81
Not eligible for EWCs except between 6/30/81 and 5/21/85	If offense committed on or after 6/15/81 and before 5/21/85	Eligible for EWCs beginning 6/30/81
If offense committed on or after 5/21/85	Not eligible for EWCs	A Life Sentence for Murder with a 30 Year Parole Eligibility

4.3 Crime Bill Passed June 7, 1995, "No Parole": Any inmate whose crime was committed on or after January 1, 1996, and who was sentenced to one of the "No Parole" offenses (see Appendix A) can earn EWCs/EECs and Bonus Credits at a combined maximum total of six (6) credits a month and maximum annual total of 72 credits.

4.4 Youthful Offender Act: An inmate who was sentenced under the Youthful Offender Act is not eligible to receive EWCs/EECs towards the reduction of time to serve on his/her sentence. However, if s/he has a concurrent determinate (straight-time) sentence, EWCs/EECs may be earned and applied against the

determinate sentence.

4.5 Interstate Corrections Compact: Inmates serving sentences from other states under provisions of the Interstate Corrections Compact are not eligible to receive EWCs/EECs. However, if a concurrent South Carolina sentence is also being served, EWCs/EECs may be credited to the South Carolina sentence. Inmates serving South Carolina sentences in other states will be awarded EWCs/EECs as determined by the Division Director of Classification and Inmate Records based on information furnished by the other state.

4.6 Inmates Serving South Carolina Sentences in Other Jurisdictions: Inmates who have South Carolina sentences that are concurrent with a federal or other state sentence and who have worked at a productive duty assignment while in the other jurisdiction are eligible for SCDC earned work credit provided that:

- SCDC has obtained documented and reliable information from the other jurisdiction that work was performed;
- Work that was performed is equivalent to the type of work that would have permitted the inmate to earn credit if s/he had been in an SCDC institution;
- The work was performed during the time that the inmate's concurrent South Carolina sentence was in effect;
- The inmate is eligible to receive EWC; and
- Loss/forfeiture of good time will also be applied to any inmate who has received a disciplinary conviction after the start date of the South Carolina sentence.

4.7 Probation/Parole: Inmates on parole or probation, even when related to a sentence which includes incarceration, are not eligible to earn EWCs/EECs for the time spent under community supervision.

4.8 Habitual Offender: Inmates serving sentences solely for Habitual Offender are not eligible to earn EWCs/EECs.

4.9 Mandatory Five Year Sentence for Firearms Possession: Inmates serving the mandatory five (5) years for the possession of a firearm during the commission of a violent crime are not eligible to receive EWCs/EECs for the period of incarceration which is served for the possession violation (enhancement).

4.10 Criminal Contempt: Inmates serving criminal contempt sentences are entitled to earn EWCs/EECs.

4.11 Criminal Charge Conviction: Inmates who are charged with a violation on or after September 16, 1996, for which they are criminally convicted in the state judicial system will receive a restriction which will not allow advancement to EWC Level 2.

## 5. OTHER LIMITATIONS:

5.1 Institutional Transfers: When an inmate is transferred from one institution to another, EWCs/EECs will be discontinued immediately after his/her last day of work at the losing institution or last day of participation in a school or vocational program. The only exception will be for those inmates who are scheduled for participation in the 30-Day Pre-Release Program or the Addictions Treatment Unit.

5.2 Special Management Unit (SMU): Inmates housed in SMU will not receive EWCs with the exception of the following:

5.2.1 When an inmate is placed in a Special Management Unit (SMU) for purposes of pre-hearing detention, his/her EWCs/EECs will be discontinued on the first day of absence from his/her employment or school/vocational assignment/program. EWCs/EECs lost will not be reinstated regardless of the disposition of the charges. If the charges are dropped; the inmate is found not guilty; or the inmate successfully appeals the guilty finding, the inmate may be reassigned to his/her previous job, school, or vocational assignment at the same rate and level. EWCs/EECs will be resumed only when the inmate returns to work, school, or vocational assignment. No EWCs/EECs will be reinstated for the period of time the inmate was in SMU.

5.2.2 Any time an inmate is placed in SMU housing on pre-hearing detention status (also referred to as short-term lock-up) and/or is found guilty of a disciplinary infraction pursuant to Agency inmate disciplinary procedures, the inmate will be reviewed by the Institutional Classification Committee (ICC) for job, school, or vocational reassignment immediately after release from SMU status. The ICC will determine if the inmate should be reinstated to his/her previous job, school, or vocational assignment or assigned to another job, school, or vocational assignment. EWCs/EECs will be resumed only when the inmate returns to (and participates in) his/her work, school, or vocational assignment.

5.2.3 Protective Custody: Every effort will be made for inmates on statewide Protective Custody status to be provided meaningful work. Those who work will receive earned work credits at a rate of Level Seven (7).

5.3 Maximum Security Unit (MSU): Inmates housed in MSU will not receive EWCs.

5.4 Disciplinary Appeals: If an inmates disciplinary conviction is overturned pursuant to GA-01.12, "Inmate Grievance System," s/he will be entitled to reinstatement of earned work credits at the previous rate of earning. However, EWCs/EECs lost while an inmate is in a Special Management Unit (SMU) will not be reinstated.

5.5 Return to Court: The losing institution must monitor the inmates length of time away from the institution as a result of a court transfer. EWCs/EECs will be terminated on the first day of absence when an inmate is absent from his/her job, school, or vocational assignment for longer than three (3) working days due to a court appearance.

5.6 Psychiatric Unit Resident: EWCs/EECs will be discontinued immediately except when simultaneously assigned to a productive job, school, or vocational assignment.

5.7 Habilitation Unit for the Developmentally Disabled Offender: Inmates in the Habilitation Unit are not eligible for EWCs/EECs except when assigned to a productive job, school, or vocational assignment.

5.8 Disability Status: Inmates who are certified as disabled by authorized medical personnel may earn EWCs/EECs if they are cleared by the medical section as able to work or attend school or vocational programming. Inmates who are on disabled status because of a job related accident will continue to earn EWCs/EECs until certified as able to return to work, school, or vocational assignment, or up to six (6) months, whichever occurs first. Every effort should be made to provide productive employment and/or educational or vocational programming for disabled inmates commensurate with their medical capabilities. (4-4450)

5.9 30-day Pre-Release Program: Inmate participants in the 30-Day Pre-Release Program will continue to receive EWCs/EECs at the same level as their custody prior to being transferred to a Pre-Release Center.

5.10 Addictions Treatment Unit (ATU) Program and ATU Step-Down: Inmate participants in the Addictions Treatment Unit Programs and ATU Step-Down will continue to receive EWCs/EECs at the same level as their custody prior to being transferred.

5.11 Supervised Furlough II-A Program (SFII-A): Inmates participating in the SFII-A program will continue to receive earned work credits at the same level as their custody prior to release on SFII-A. Earned work credits will be discontinued if a warrant for SFIIA violation is issued. The effective date for termination of earned work credits will be the warrant issue date.

5.12 Safekeeper (Including Death Row): Inmates in Safekeeper status for counties through Executive Order or on Death Row are not eligible for EWCs/EECs.

5.13 Escape: If an inmate escapes, his/her EWCs/EECs will be stopped immediately.

5.14 Medical: EWCs/EECs will be terminated on the first day of absence when an inmate is sick and away from his/her job, school, or vocational assignment for longer than three (3) working days due to non-job related reason, i.e, sick pass due to flu, broken leg, etc. (See also Procedure 6, below.)

5.15 Other Circumstances: EWCs/EECs will be continued for a period of three (3) working days. If the inmate is absent for more than three (3) working days, EWCs/EECs will be terminated effective the first day of absence. This includes sick call, authorized absence, or any other official absence not mentioned above.

5.16 Early Release to Detainers: The EWC/EEC will be continued for a period of five (5) working days prior to maxout of SFII-A release when an inmate is picked up on an outstanding detainer (e.g., hold/wanted prior to maxout or SFII-A early release date).

## 6. INJURY AND HOSPITALIZATION:

6.1 Job Related: In case of job related injury or hospitalization, EWCs/EECs will continue at the same level up to six (6) months, or after being medically certified as able to continue employment, whichever occurs first. If the inmate does not return to work after being medically certified and the job-related absence has been less than six (6) months, the EWCs/EECs termination date will be effective the day following the date

of medical certification.

6.2 Non-Job Related: EWCs/EECs will be continued for a period of three (3) working days. If the inmate is absent for more than three (3) working days, EWCs/EECs will be terminated effective the first day of absence.

7. INMATE JOB/SCHOOL ASSIGNMENT: SCDC Form 19-54, "Inmate Job/School Assignment," is to be used to record all initial job/school assignments and subsequent changes (e.g., reassignments, promotions, demotions, and terminations, etc.). After the form has been completed, proper distribution will be made, to include filing in the institutional record.

7.1 Voluntary Job Change: An inmate who has successfully completed at least six (6) months in an assigned job may request a job change. The inmate must appear before the ICC for approval/disapproval.

7.2 Lateral Transfers: Job transfers within the same area may be implemented by the job supervisor without prior approval of the ICC/Caseworker. Classification must be notified within 48 hours using SCDC Form 19-54, "Inmate Job/School Assignment," with the job supervisor maintaining a copy for his/her files. The Classification Case Manager/Caseworker will sign the form and forward the original to the institutional record. (Refer to Procedure 7.5., below, for information pertaining to computer entry.)

7.3 Terminations:

7.3.1 An inmate may be recommended for termination from a job by his/her supervisor for unsatisfactory job performance, inability to perform work, or other appropriate reasons. Prior to termination, the inmate may be given SCDC Form 19-123, "EWC Performance Evaluation, Warning Notice," by his/her supervisor explaining how his/her performance could be improved. Depending on the circumstances surrounding the termination, the inmate may be charged with a rules violation. (A "Warning Notice" is not required prior to termination.) All terminations (except administrative request) must be approved by the Institutional Classification Committee.

7.3.2 In case of termination, the supervisor will submit the recommendation to the Classification Section on a completed SCDC Form 19-54, "Inmate Job/School Assignment," indicating the circumstances surrounding termination. Copies of any warning notices, counseling forms, or incident reports should be attached. If the inmate is terminated by the ICC, the effective date of termination is the date signed by the job supervisor on SCDC Form 19-54, "Inmate Job/School Assignment."

7.3.3 The ICC will review all documentation and interview the inmate for possible reassignment to another job.

7.3.4 The supervisor recommending termination will not participate as a voting member on the ICC reviewing the termination case.

7.3.5 Administrative Request: An inmate may be reassigned at the discretion of the Warden or designee when it is deemed necessary for the safety and security of the institution.

7.5 Recording of Job/School Assignment: SCDC Form 18-1, "Committee Docket," and SCDC Form 19-54, "Inmate Job/School Assignment," will be used for recording all initial job/school assignments and subsequent changes. Inmates assigned to jobs and/or to school will be directed to the appropriate supervisor following their ICC hearing. Individual work supervisors will receive notice from the Case Manager/Caseworker of the inmate's assignment within 24 hours of the hearing.

7.6 Computer Entry: Job/school assignment information will be entered into the SCDC CRT indicating the inmate's SCDC number, job classification code, effective date of hire, job location, and number of days/hours to be worked. The designated institutional employee will make appropriate CRT entries on the EWC/EEC screens within three (3) working days after the ICC hearing.

7.7 Refusing to Work/Failure to Work/Refusing to Attend the Compulsory School Program: An inmates refusal to work or participate in a mandatory educational program will result in disciplinary action pursuant to SCDC policies and procedures pertaining to inmate discipline. (See SCDC Policy/Procedure OP-22.14 and ~~OP-22.14B.~~)

8. AWARDING EARNED WORK CREDITS:(NOTE: The Agency adopted a five (5) days on and two (2) days off (5/2) work schedule effective January 1, 1998, with exceptions limited to job sites which are on seven (7) day credits.) All seven (7) day credit job assignments must receive the written approval of the Division Director of Classification and Inmate Records.

8.1 Each inmate job assignment will be placed in one of four job classification levels, and EWCs will be awarded on the basis of custody:

CUSTODY	LEVEL 2	FULL-TIME	PART-TIME
Minimum Out (MO)	5 days/week	2.50 credits/week	1.25 credits/week
7 days/week	3.50 credits/week	1.75 credits/week	Minimum Out Restricted (MOR)
5 days/week	2.50 credits/week	1.25 credits/week	7 days/week

CUSTODY	LEVEL 3	FULL-TIME	PART-TIME
Minimum In (MI)	5 days/week	1.19 credits/week	0.595credits/week

(NOTE: Minimum In (MI) will be Level 3 until meeting behavior and time requirements to Minimum Out Restricted (MOR), then move to EWC Level 2.)

CUSTODY	LEVEL 5	FULL-TIME	PART-TIME
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Medium (ME)	5 days/week	0.7142 credits/week	0.3571 credits/week
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8.2 No more than 180 days of Earned Work Credits and/or Educational Credits will be awarded to any one inmate during any 12-month period. For those inmates with "No Parole" sentences, no more than 72 days will be awarded during any 12-month period.

8.3 Any EWCs awarded retroactively must be requested by the Warden with at least two (2) supporting statements and documentation from SCDC or supervising employees verifying the work and the dates performed. All Earned Work Credits awarded retroactively must be approved in writing by the Division Director of Classification and Inmate Records.

8.4 Inmates will be provided the opportunity to work and earn EWCs on an equitable and rational basis, consistent with security needs, and without discrimination on the basis of race, sex, or disability. (4-4450)

8.5 EWCs will be awarded on a day-for-day basis. Overtime hours may not be applied to five (5) or seven (7) day credit, except as approved by the Agency Director.

8.6 Notwithstanding the provisions of these procedures, inmates may be required to work beyond a 40 hour work week and/or an eight (8) hour work day to perform duties for the benefit of the Agency.

## 9. SECURITY PRECAUTIONS:

9.1 Inmates will not be permitted to complete, handle, and/or peruse EWC forms.

9.2 Inmates will not be permitted to observe EWC/EEC data entry into CRTs.

## 10. LOSS OF EARNED WORK, EDUCATION, OR GOOD CONDUCT CREDITS PURSUANT TO SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, 24-27-200

Pursuant to 24-27-200, a prisoner shall forfeit all or part of his earned work, education, or good conduct credits in an amount to be determined by the Department of Corrections upon recommendation of the court or administrative judge. The taking of earned work, education, or good conduct credits shall be consistent with appropriate due process considerations. See SCDC Policy/Procedure OP-21.11, "Loss of Statutory Good Time," for more information about the procedures that must be followed for forfeiture of earned work, education, or good conduct credits pursuant to 24-27-200.

## 11. DEFINITION:

Full-time Meaningful Programs refer to organized, supervised programs including, but not limited to: vocational training, education courses, work assignments, work release, agriculture, public works, and industries which allow inmates the opportunity for a minimum of five (5) hours per day and an optimum of eight (8) hours per day participation and engagement in intellectual, constructive, and physical activity. (4-

4448, 4-4449, 4-4451, 4-4452, 4-4454)

SIGNATURE ON FILE

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s/Jon E. Ozmint, Director

ORIGINAL SIGNED COPY MAINTAINED IN THE DIVISION OF POLICY DEVELOPMENT.

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## APPENDIX A

### "NO PAROLE" OFFENSES

The following SCDC offense codes reflect the June 7, 1995, legislation regarding "NO PAROLE" offenses. These offenses must be considered the principal of the crime carrying an offense characteristic of "Facilitation of," "Guilty but Mentally Ill," "Accessory Before and After the Fact," or "Attempt to Commit." There are other offense characteristics to be used for some offenses; these are denoted by the asterisks.

CDR CODE	OFFENSE
0912	Lynching 2nd Degree
0917	Murder/Lynching 1st Degree
0918	Murder/Killing in a Duel
0919	Manslaughter/Voluntary manslaughter
0922	Murder/Killing By poison
***0923	Murder/Homicide by Child Abuse (20Y to Life)
***0923	Murder/Homicide by child abuse, aiding and abetting (10Y to 20Y)
***0923	Murder/Homicide by Child Abuse (20Y to Life)
***0924	Poison/Administer or attempt to poison or destructive thing, with intent to kill
00925	Murder/Killing by Stabbing or Thrusting

0999	Murder
**1000	Kidnapping
1012	Prisoners/Taking Hostages by any Inmate, sentence cannot be concurred
*1101	Sex/Assault with intent to commit criminal sexual conduct - First degree
*1101	Criminal Sexual Conduct 1st Degree
*1102	Sex/Assault with intent to commit criminal sexual conduct 2nd Degree
*1102	Sex/Criminal Sexual Conduct 2nd Degree
*1104	Sex/Criminal sexual conduct with minor - victim under 11 years of age - First degree
*1105	Criminal Sexual Conduct w/Minor - victim 11 to 14 years of age inclusive - 2nd Degree
*1105	Criminal Sexual Conduct w/Minor - victim under 16 yrs of age -2nd Degree
*1122	Sex/Criminal Sexual where victim is legal spouse, separated -1st Degree
*1123	Criminal Sexual Conduct where victim is legal spouse, separated - 2nd Degree
1211	Robbery/Entering bank, depository, or bldg. and loan association with intent to steal
1214	Robbery/Robbery after entry upon train
1214	Robbery/Train robbery by stopping train
1215	Robbery/Robbery of operators of motor vehicles for hire
1297	Attempted Armed Robbery

1299	Robbery/Armed Robbery, robbery while armed or allegedly armed with a deadly weapon
1399	Assault /Assault and Battery with Intent to Kill (ABWIK) Attempt to Commit Murder
2000	Arson 1st Degree
2010	Arson 2nd Degree
2201	Burglary/Safecracking
2220	Burglary 1st Degree
2398	Traffic/Failure to Stop for a blue light, death results
2413	Carjacking/Take or attempt a vehicle from person by force without great bodily harm
2414	Carjacking/Take or attempt a vehicle by force from person, great bodily injury
2463	Traffic/Hit and run, duties of driver involved in accident with death
2766	Inflicting Great Bodily Injury on Child
2904	Bomb/Explosive or incendiary use with no resulting or personal injury
2914	Injuring Railroad/Railway, Endangering Life
2915	Railroad/Penalty for obstruction of railroad if death of human being results
2916	Railroad/Interference with traffic control devices or RR signs, signals, death results
2918	Airport/Removing or damaging of airport facility or equipment when death results

2919	Highway/Putting foreign substance on highway with malice, death results (penalty is death or life prison)
2920	Murder/Explosive or incendiary use with death resulting
2999	Railroad/Penalty for obstruction of railroad, no death results
3001	Spying/Giving defense or information to foreign contacts anytime
**3544	Drugs/Trafficking in marijuana ( 100 lbs. or more)
**3545	Drugs/Trafficking in cocaine, 10g or more, but less than 28 g - 2nd offense
**3545	Drugs/Trafficking in cocaine, 10g or more, but less than 28g - 3rd or sub. offense
**3545	Drugs/Trafficking in cocaine, 100g or more, but less than 200g
**3545	Drugs/Trafficking in cocaine, 200g ore more, but less than 400g
**3545	Drugs/Trafficking in cocaine, 400g or more
**3546	Drugs/Trafficking in Heroin, morph, etc.,4g or more, but less than 14g - 1st offense
**3546	Drugs/Trafficking in Heroin, morph, etc., 4g ore more, but less than 14g - 2nd or sub.
**3546	Drugs, Trafficking in Heroin, morph.,etc. 14g or more, but less than 28g
**3546	Drugs/Trafficking in Heroin, morph., etc., 28g or more
**3546	Drugs/Trafficking in flunitrazepam, 1 gram to 100 g - 2nd or sub. offense

**3546	Drugs/Trafficking in flunitrazepam, 100 g to 1000g
**3546	Drugs/Trafficking in flunitrazepam, 100g to 5 kilograms
**3546	Drugs/Trafficking in flunitrazepam, 5 kilograms or more
3546	Trafficking in gamma hydroxybutyric
3547	Prohibited Acts A, penalties (trafficking in methaqualone, 15 g or more, but less than 150 g)
3547	Prohibited Acts A, penalties (trafficking in methaqualone, 150 grams, but less than 1,500 g)
TBA	Detonating an explosive or destructive device or igniting an incendiary device upon the Capitol grounds or within the Capitol building, resulting in injury to a person
TBA	Detonating an explosive or destructive device or igniting an incendiary device upon the Capitol grounds or within the Capitol building, resulting in damage to real or personal property
TBA	Damaging or destroying building, vehicle, or other property by means of explosive or incendiary device, if personal injury results
TBA	Damaging or destroying device, or causing an explosion, or aiding, counseling, or procuring an explosion, or aiding, counseling, or procuring an explosion by means of a destructive device, resulting in injury to a person
TBA	Causing an explosion by means of a destructive device, or aiding, counseling, or procuring an explosion by means of a destructive device which results in damage to real or personal property, or attempting to injure a person or damage or destroy real or personal property by means of a destructive device

TBA	Failure of an operator of a vessel involved in a collision, resulting in death, to stop and render assistance
TBA	Damaging or destroying building, vehicle, or other property by means of explosive or incendiary device, if personal injury results
**3547	Drugs/Trafficking in methaqualone, possession of 1,500 g, but less than 15kg
**3547	Drugs/Trafficking in methaqualone, 15 kg or more
**3548	Drugs/Trafficking in ice, crank or crack - 10 g or more, but less than 28g - 2nd offense
**3548	Drugs/Trafficking in ice, crank or crack - 10g or more, but less than 28g - 3rd or sub. offense (Fel., 25Y to 30Y)
**3548	Drugs/Trafficking in ice,crank, or crack - 28g or more, but less than 100g - 1st off.
**3548	Drugs/Trafficking in ice, crank, or crack 28g or more, but less than 100g - 2nd off.
**3548	Drugs/Trafficking in ice, crank, or crack - 28g or more, but less than 100g - 3rd or sub. (Fel. 25Y to 30Y)
**3548	Drugs/Trafficking in ice, crank or crack - 100g or more, but less than 200g
**3548	Drugs/Trafficking in ice, crank or crack - 200g or more, but less than 400g
**3548	Drugs/Trafficking in ice, crank, or crack - 400g or more (Felony, 25Y to 30Y)
3579	Drugs/Trafficking LSD, 1000 dosage units or more
3579	Drugs/Trafficking LSD, 100 dosage units to 499 dosage units - 2nd offense

3579	Drugs/Trafficking LSD, 100 dosage units to 499 dosage units - 3rd or sub. off.
3579	Drugs/Trafficking LSD, 500 dosage units to 999 dosage units - first offense
3579	Drugs/Trafficking LSD, 500 dosage units to 999 dosage units - 2nd offense
3579	Drugs/Trafficking LSD, 500 dosage units to 999 dosage units - 3rd or sub. offense
3584	Drugs/Administer, distribute, etc. - other than Sched.1(b) or (c) or Sched. II drug - 3rd or sub. off. Offense
3584	Drugs/Manufacture, distribution, etc., ice, crank, crack cocaine - 2nd offense
3585	Drugs/Manufacture, distribution, etc., ice, crank, crack cocaine - 3rd or sub. offense
3579	Drugs/Trafficking LSD, 1000 dosage units or more
3586	Drugs/Distribution 1(b),(c), LSD and II Narcotic drugs and crack cocaine to person under 18 by person 18 or over
3587	Drugs/Administer, distribute,etc - Sched1(b) or (c) Sched. II drug - 1st offense
3587	Drugs/Administer, distribute, etc. - other than Sched.1(b) or (c) or Sched. II drug - 2nd offense
3587	Drugs/MDP, Narcotic drugs in Sched. 1(b)&(c), LSD, and Sched.II (Cocaine) - 2nd off.
3588	Drugs/Administer, distribute, etc. - Sched. I(b) or (c) Sched. II drug - 3rd or sub. off.
3588	Drugs/MDP, Narcotic drugs in SCH.1(b)&(c), LSD, and Sched. II (Cocaine) - 3rd or sub. offense

3589	Drugs/Manufacture, possession of other sub. In SCH I,II,III or flunitrazepam, w.i.t.d - 3rd or sub. off.
3596	Drugs/Financial transaction involving property derived from unlawful drug activity
3597	Drugs/Transport or attempt transfer monetary instruments derived from unlawful drug activity
3598	Drugs/Concealment of property derived from unlawful drug activity
3615	Sex/Engaging child under 18 for sexual performance
5413	DUI/Felony driving under the influence, death results
5505	Food/Unlawful, malicious, malicious tampering with human drug product or food
6100	Tax/Owner or distributor of video game machine without or with improper metering device
	Accessory/Accessory before the fact to a felony, general provision (violent if violent felony)
	Attempt, Common Law, punish as to principal offense (violent if violent felony)
TBA	Detonating a destructive a device or causing an explosion, or aiding, counseling, or procuring an explosion by means of detonation of a destructive device which results in death of a person where there was malice aforethought

\* "Assault with Intent to Commit" for these offenses is also considered principal to the crime.

\*\* "Conspiracy to Commit" for these offenses is also considered principal to the crime.

\*\*\* "Aid and Abet" for this offense is also considered principal to the crime.

